

MAY 19 2009

Docket No. DEP5164
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Voellmicke et al. Group Art Unit: 3731
Serial No.: 10/673,826 Examiner: Ramana, Anuradha
Filed: September 29, 2003
Title: Vertebroplasty Device Having A Flexible Plunger

CERTIFICATE OF MAILING

I, Amy Pelletier, hereby certify that this correspondence is being transmitted via facsimile to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 at 571- 273-8300 on May 19, 2009.

Amy Pelletier/ (signature)
Amy Pelletier

Thomas M. DiMauro (name of Registered Representative)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Amendment**Dear Sir:**

In response to the Office Action of October 6, 2008, Applicants respectfully request reconsideration in view of the following remarks:

Amendments to the Claims are reflected in the listing of the claims which begins at page 2 of this paper.

Remarks begin at page 6 of this paper.